



# In brief

VOLUME 7

NUMBER 1

THE FOUNDATION FOR  
ECONOMIC EDUCATION, INC.  
IRVINGTON-ON-HUDSON, NEW YORK



The Foundation is a non-profit research and educational institution. It is responsible to no outside person or group—either in government, business, labor, or agriculture. Its sole purpose is a search for truth in economics, political science, and related subjects. Further information, including a list of publications, will be sent on request.

## BLESSINGS OF DISCRIMINATION

BY

F. A. Harper



THE FOUNDATION FOR  
ECONOMIC EDUCATION, INC.  
IRVINGTON-ON-HUDSON, NEW YORK

## BLESSINGS OF DISCRIMINATION



### EDITOR'S NOTE

This article, here revised and enlarged, was originally published in *Farmand*, Oslo, Norway, February, 1951.

Dr. F. A. Harper, author of many books and articles, is a member of the Foundation staff.

Copyright 1951, by F. A. Harper. Permission to reprint granted without special request.

PRINTED IN U.S.A.

No charge for single copy. Quantity prices on request.

WHEN A CHILD is born, his development is watched with anxious anticipation by those who wish him well. He begins to laugh and scream with pleasure and displeasure about more and more things, as his capacity for discrimination increases more and more. This is not a tragedy; it is a blessing. A child without any sense of discrimination is cursed with the threat of self-destruction.

The case of Beverly Smith, as reported by Dr. Frank R. Ford of Johns Hopkins Hospital, is interesting and significant. Due to some defect or short-circuit in Beverly's central nervous system, she has no sense of pain. When she falls down, or bumps her head, or puts her hand on a hot stove, or cuts herself with a knife, there is no pain. A blessing to Beverly? No. This censoring of Nature's important warnings may save her some initial pains, but it exposes her to the terrible consequences of ignoring the danger signals of pain from heat, broken bones, or appendicitis. All this because Beverly can not discriminate in feeling. She is a tragic care to her mother, who can protect her in some ways but who has no way of protecting her against all those dangers where

Nature sends a private warning only to the threatened victim. The results would be exactly the same if a person capable of discrimination were to fail to act on its guidance.

Another child fails to develop any discrimination for sound. He is deaf and dumb, and destined to suffer all the tragedy which that implies. He is spared the alarm of startling noises, whether it be an explosion or the warning of a rattlesnake. He is protected from having to endure an off note in a symphony, but in being relieved from suffering off notes he is also prohibited from ever enjoying a harmony. In being saved the alarm of noises, he must forego the sound of warnings. He is victimized by his own inability to discriminate.

#### WISDOM MEANS DISCRIMINATION

**D**ISCRIMINATION was said by Gautama Buddha to be the greatest essential human virtue. Truly it is a blessing — a blessing that is also in harmony with Judeo-Christian ideals. It is necessary to progress and to the advancement of civilization.

Many of the leading problems of our day, I believe, stem from a thought-disease about discrimination. It is well known that discrimination has come to be widely scorned. And politicians have teamed up with those who

scorn it, to pass laws against it — as though morals can be manufactured by the pen of a legislator and the gun of a policeman.

What is this thing, this discrimination, which has become so widely dubbed as an evil?

Discrimination is the exercise of choice. It necessarily arises from knowledge and wisdom. And the greater the knowledge and wisdom, the higher the degree of discrimination. Visualize a person who can discriminate nothing. He would be as a stone! He would have no capacity for choice, no ability to guide any of his own affairs or to be in any degree his own master through self-controlled and independent acts. He would be utterly and wholly dependent, if indeed he could live. He would be as much the slave of others as is a stone the slave of the winds, the floods, and chemical changes — incapable of any selective control of his place in the universe.

#### NATURE DEMANDS DISCRIMINATION

**M**AN WAS OBVIOUSLY intended to be a discriminating being. But the animals, too, have this capacity for discrimination. We know how certain animals have one or another of the senses developed to an even higher degree than *Homo sapiens*.

The outstanding thing about discrimination in man, in contrast to other forms of life as we know them, is his capacity for choice beyond the direct application of his senses to his immediate surroundings. He is sometimes called the reasoning animal because of his capacity for thinking in the abstract, or reasoning. It is this quality that makes possible all invention, all discovery, all advancement. The discovery of something new obviously means that someone has explored possibilities beyond the direct observing and sensing of what is present.

We may properly, then, take pride in the development of the power of discrimination in the child. The more the better, especially when it takes the form of reasoning and abstract thinking. Unusual powers of discrimination are the tools by which he may become a great scientist, or a creator in some other form. He is able to develop something notable only as he is capable of, and exercises, choice. He then becomes able to contribute to the advancement of human welfare, rather than merely to exist in civilization in such a manner that human welfare is no better for his having been here.

It is the power of discrimination which makes it possible for the child to exercise that blessed capacity for choice. Yet when the child grows to adulthood, because of some peculiar twist of "modern thought," he is confronted on

every hand with the idea that discrimination is a sin. At its ultimate and logical conclusion, this concept flowers into governmental prohibition of choice, because government is the principal agent of force used to rob men of their right of choice. Carried to its ultimate, a controlled society removes choice from every sphere of human conduct, including religious practice, place of work, whom one will hire, with whom one will trade, and at what price. Let us now take a closer view of one or two forms of this thought-disease about discrimination.

#### DISCRIMINATION IN EMPLOYMENT

THE "fair employment practices" laws are of this type. According to these laws, one is prohibited from discriminating against the employment of a person because of his race, color, and the like. This type of law reveals, on closer scrutiny, the dangers inherent in the "non-discrimination" thinking of our time.

Not everyone can work at every job. Only one person can work at each job, which means that nobody else can have it at the same time. Such is the nature of things — a natural law which no man-made law can revoke. It follows, then, that there must unavoidably be a selection of the person who is to work at any one job. There must be discrimination in this situa-

tion. The only remaining question is: Who shall have the right of decision? He must somehow choose the one for the job; he must somehow discriminate.

The method used in a free and voluntary society is to allow agreement between the two persons concerned—the employer and the employee. No one else is rightfully concerned. If A wishes B rather than anyone else to work for him, and if B wants the job, there is a meeting of minds by choice and agreement of the only two persons who merit a vote in the matter.

If it were to be said that C has a right to claim the job, it would mean that the right of decision, which properly belongs to A and to B, has now been confiscated by C. Not only that, but D and E and all the others who might want the job should, in justice, have rights equal to those of C; the result would be innumerable equal claims to the one job. This is a non-equation, subject to no solution. A decision must somehow be reached.

If there continues a denial to A and B of their rights in the matter, so that the question persists of who shall have the job, it becomes necessary to select an arbitrator. Under socialism in any of its forms and by any of its names, arbitration becomes the business of government, since government is supposed to be the unquestioned reservoir of justice. But

the government has no basis for selecting the man who shall have that job, except as some one bureaucrat renders the decision arbitrarily and exercises his own personal choice or preference. Discrimination has not been eliminated; it cannot be eliminated, by the very nature of things. All that has happened has been the transfer of the rights of discrimination to a bureaucrat who has no basic concern—and no fundamental right of choice—in the matter. He now becomes the discriminator, under a scheme supposedly designed in the first place to eliminate discrimination by the employer.

#### THE RIGHT TO CHOOSE

THE CLAIM is made, of course, that an employer is "unfair" or "discriminatory" if his choice is on some basis that is said to be unwise. It is charged, for instance, that A hired B instead of C because he did not like C's race or color or religion or something. But the basis for A's considerations in his choice, or his motives, cannot possibly be known with certainty by any other person. How can any law like these "fair employment practices" laws, then, be fairly administered? How can a judge render a wise decision on the basis of unknowns?

And in any event, what difference does it

make how A arrived at his choice? One cannot question the basis for a choice without questioning the right of choice itself. There isn't much sense to saying that I have the right, for instance, to select any kind of cheese I wish, but that I have no right to select one in preference to another because it tastes better, or has a more appealing color, or is made from the milk of better cows. The right of choice is the right of choice, and the reasons therefor become a sacred part of the right of choice itself. This same analysis should apply also to B's discriminating choice of the job offered by A.

If there were no discrimination in employment—no rights of choice—there would be no means by which persons could find their best place to work; no means by which persons could develop and use their best talents; no means by which management could be good rather than bad; no means by which accomplishment and merit could find reward.

#### DISCRIMINATION IN ASSOCIATION

ONE of the leading areas for charges of discrimination is that of association. It would seem that if one is to be non-discriminating, he must share his company equally with every race, every shade of color, every nationality, every religion, every age, each sex, and every one of innumerable other differences which

comprise the means of discrimination. One cannot help but wonder in this connection what would comprise non-discrimination, for instance, in the realm of matrimony. Monogamy would certainly disappear—unless, again, the state were to take over all matrimonial affairs, and then it would be a bureaucrat who would become the discriminator for the victims.

All friendship is founded on discrimination. Are we to conclude that friendship is an evil thing? Should attempts be made to communalize friendship? There comes to mind the story of one ne'er-do-well who was asked by another if he liked the Jews.

"No," he replied.

"Do you like the Japanese?"

"No."

"The Chinese?"

"No."

"The Italians?"

"No."

"Who, then, do you like?"

"My friends, just my friends!"

#### NON-DISCRIMINATION AND CONFLICT

THE PREVAILING attitudes about discrimination in employment, or in friendships, or in anything else, are based on the assumption that discrimination leads to conflict, and that

legislation against it is necessary to keep order and the peace. On the contrary, I believe that laws against discrimination generate rather than quell disputes and conflict.

Note if you will, in the illustration about employment, the peaceful decision when A decides to hire B for a job, and B decides to take the offer. Compare it as a peaceful decision with the situation that arises when all others who might want the job are made to believe that they have a right to that job. Nor does the chaos and conflict subside when a non-discrimination law is passed to give legal backing to all these impossible claims to rights — when a bureaucrat takes over and rations the job to one of his friends, perhaps with a view to vote-getting.

#### FALLACY AND FACT

TROUBLE over discrimination against Negroes seems to have become intensified in this country in recent years, under an acceleration of accusations and after passage of non-discrimination laws. We have been led to believe, for instance, that lynchings of Negroes have been on a long-time increase and that such legal measures have become necessary to keep order and the peace. The fact is, on the contrary, that there has been a long-time decline in the number of lynchings, which had all but disap-

peared a quarter of a century ago; this decline from its peak in the nineties applies to the lynching of whites as well as Negroes.

Promoters of the communist ideals have generated chaos and class conflict by generating this phobia about discrimination and persecution. This has led to false claims of rights. Part of the same kit of communist tools is the idea that private property is the consequence of discrimination against those who do not own it. If non-owners can be made to believe this and to help pass laws to correct it, they will fight to have it corrected by "fair ownership laws" whereby all private property is confiscated for the "ownership of all." This is the essence of communism itself, and it is already far advanced in the United States under devious and subtle devices.

Wherever personal rights to discriminate and choose are violated, either by a sweep of emotional sentiments or by law, peaceful solutions to Nature's law of limitations are replaced with chaos and conflict.

When the attempt is made to widen rights and create claims in excess of what is available to fulfill these claims, conflict becomes inevitable and persistent. Two or more claims to one job cause conflict. Two or more claims to the same land cause conflict. Two or more claims to the same husband or wife cause conflict.

## THE SOLUTION

**C**ONFLICT in all these areas can be curbed only by some device which will restrict rights or claims to any desired object, so that there is the necessary equality between the supply of a thing and the valid claims against it. There must be only one right to one job; only one deed to one piece of property. The function of the device of private property, in contrast to the impossible socialist-communist concept that everyone owns everything under "ownership in common," is to equate ownership with the property to be owned. The function of price in a free market, in contrast to a controlled price with rationing of an artificial shortage created by a governmental bureaucracy, is likewise to equate supply and demand for what is available.

The Judeo-Christian admonitions about the brotherhood of man and about loving one's fellow men can hardly mean that man-made laws should be allowed to interfere with these methods of peaceful adjustment to human preferences and to the scarcities of desired things. Man should be allowed to continue his self-improvement on earth through the exercise of judgment and freedom of choice according to his conscience. When this concept of rights is combined with conduct according to the familiar guides of Judeo-Christian

ethics, I believe that the destiny of man will best be fulfilled and that peace will reign at its maximum.

If man is to continue his self-improvement, he must be free to exercise the powers of choice with which he has been endowed. When discrimination is not allowed according to one's wisdom and conscience, both discrimination and conscience will atrophy in the same manner as an unused muscle. Since man was given these faculties, it necessarily follows that he should use them and be personally responsible for the consequences of his choices. This means that he must be free to either enjoy or endure the consequences of each decision, because the lesson it teaches is the sole purpose of experience — the best of all teachers.

When one's fellow men interpose force and compulsions between him and the Source of his being — whether by the device of government or otherwise — it amounts to interrupting his self-improvement, in conflict with what seems to be the Divine design. Man must be left free to discriminate and to exercise his freedom of choice. This freedom is a virtue and not a vice. And freedom of choice sows the seeds of peace rather than of conflict.